

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE:)
)
) Chapter: 7
Graphic III Papers, Inc.,)
) Case No: 18-03905
)
Debtor.) Judge: Janet S. Baer

**NOTICE OF TRUSTEE'S MOTION FOR EMPLOYMENT OF AUCTIONEER, FOR
SALE OF ESTATE PROPERTY, AND FOR ABANDONMENT OF ESTATE PROPERTY**

TO: See Attached Service List

PLEASE TAKE NOTICE THAT ON **May 18, 2018 at 11:00 a.m.** or as soon thereafter as Counsel may be heard, I shall present before the **Honorable Judge Janet S. Baer**, or any Judge sitting in her stead, at the courthouse located at **Courtroom 240, Kane County Courthouse, 100 S. Third Street, Geneva, Illinois** and present the attached ***Trustee's Motion for Employment of Auctioneer, for Sale of Estate Property, and For Abandonment of Estate Property*** at which time you may appear as you deem necessary.

AT WHICH TIME AND PLACE YOU MAY APPEAR AND BE HEARD

Frank J. Kokoszka, Esq.
ARDC No. 6201436
KOKOSZKA & JANCZUR, P.C.
19 South LaSalle, Suite 1201
Chicago, IL 60603-1419
(312) 443-9600 phone
(312) 254-3156 efax
fkokoszka@k-jlaw.com

CERTIFICATE OF SERVICE

I, Frank J. Kokoszka, an attorney, on oath state that I caused to be served this Notice, Motion and proposed Order by mailing and/or electronically serving where available a copy to all parties shown and depositing same in the U.S. Mail at 300 S. County Farm Road, Illinois before 6:00 p.m. on April 27, 2018 with proper postage prepaid.

/s/ Frank J. Kokoszka
Frank J. Kokoszka, Esq.

Gregory Adamo on behalf of Attorney VK 51
EISENHOWER LANE SOUTH
adamo@ccmlawyer.com,
matthiscyk@ccmlawyer.com

Joshua D. Greene on behalf of Debtor 1 Graphic
III Papers, Inc.
jgreenespringerbrown.com,
iprice@springerbrown.com

Cari A Kauffman on behalf of Creditor
Mercedes-Benz Financial Services USA LLC
c kauffman@sormanfrankel.com,
dfrankel@sormanfrankel.com

Emily L Langhenry on behalf of Attorney VK 51
EISENHOWER LANE SOUTH
langhenry@ccmlawyer.com,
farrington@ccmlawyer.com

Patrick S Layng
USTPRegion11.ES.ECF@usdoj.gov

Christopher H Purcell on behalf of Creditor
FORD MOTOR CREDIT COMPANY LLC
shermlaw13@aol.com

Ally
P.O. Box 380902
Minneapolis, MN 55438-0902

American Express
PO Box 0001
Los Angeles, CA 90096-8000

Aramark
P.O. Bxo 1040
Saint Charles, MO 63302

At & T
P.O. Box 5080
Carol Stream, IL 60197-5080

AT & T Mobility
P.O. Box 6463
Carol Stream, IL 60197-6463

AutoMotivation
270 N Eisenhower Ln
Suite 1
Lombard, IL 60148

Bank of America
P.O. Box 851001
Dallas, TX 75285

Beloit Board Company, Inc.
P.O. Box 386
Beloit, WI 53512-0386

Birch Communications
P.O. Box 105066
Atlanta, GA 30348-5066

Blanks/USA
7700 68th Avenue N #7
Minneapolis, MN 55428

Blue Cross Blue Shield
25550 Network Place
Chicago, IL 60673-1255

Boise White Paper. LLC
P.O. Box 844169
Dallas, TX 75284-4169

Capital One Card Service
P.O. Box 71107
Charlotte, NC 28272

Cardmember Service
P.O. Box 790408
Saint Louis, MO 63179-0408

Cenveo
c/o Teller Levit & Silvertrust
19 S. Lasalle, Suite 701
Chicago, IL 60603

Chase
P.O. Box 15153
Wilmington, DE 19886-5153

Chicago Envelope
685 Kimberly Drive
Carol Stream, IL 60188

GM Chase
P.O. Box 15153
Wilmington, DE 19886-5153

Chrysler Capital
PO Box 961275
Fort Worth, TX 76161

Graphic 14, Inc
948 Tower Road
Mundelein, IL 60060

Citi Mastercard
P.O. Box 688901
Des Moines, IA 50368-8901

Graphic 5 Inc.
1440 Landmeier Rd
Elk Grove Village, IL 60007

CMB Printing
15W 700 79th Street
Willowbrook, IL 60527-7964

Graphic Papers of Joliet, Inc.
701 Scott Street
Joliet, IL 60432

ComCast
P.O. Box 3001
Southeastern, PA 19398-3001

Guardian
P.O. Box 530157
Atlanta, GA 30353-0157

ComEd
P.O. Box 6111
Carol Stream, IL 60197-6111

Guardian Appleton
P.O. Box 6774558
Dallas, TX 75267-7458

Coolersmart
P.O. Box 1513030
Philadelphia, PA 19175-3030

Guardian-Kurz
P.O. Box 6011
Carol Stream, IL 60197-6011

De Lage Landen Financial Services
PO Box 41602
Philadelphia, PA 19101

Hazen Paper Company
P.O. Box 189
Holyoke, MA 01041-1089

DearBorn National
36788 Eagle Way
Chicago, IL 60678-1367

Illinois Department of Revenue
Bankruptcy Section Level 7-425
100 W. Randolph Street
Chicago, IL 60602

De Lage Landen, F.S.
c/o Russell A. Bender
1111 Old Eagle School Rd.
Wayne, PA 19087

Illinois Paper & Copier Company
6 Territorial Ct.
Bolingbrook, IL 60440

Frank R Bobek
4 Cambridge Drive
Oak Brook, IL 60523

Jorsen & Carlson, Inc
15601 Pratt Blvd.
P.O. Box 796
Elk Grove Village, IL 60007

Garvey's Office Products
P.O. Box 5678
Carol Stream, IL 60197-5678

Konica Minolta
P.O. Box 41602
Philadelphia, PA 19101-1602

Nordstrom Bank
P.O. Box 79137
Phoenix, AZ 85062

Konica Minolta Premier Finance
P.O. Box 41602
Philadelphia, PA 19101-1602

P.H. Glatfelter
3174 Solutions Center
Chicago, IL 60677-3001

Label Source, Corp
19027 S Jodi Rd Unit E
Mokena, IL 60448

Palmer Packaging, Inc
P.O. Box 335
Addison, IL 60101-4306

Leader Paper Products Inc
901 S Fifth Street
Milwaukee WI 53204

Pekin Insurance
2505 Court Street
Pekin, IL 61558-0001

Lehman, Inc.
1585 Greenleaf Ave.
Elk Grove Village, IL 60007-5524

Performance Office Papers
21565 Hamburg Ave
Lakeville, MN 55044

Lewis Paper International Inc.
c/o Stein & Rotman, attorneys
77 W. Washington St. #1105
Chicago, IL 60602

Pitney Bowes
P.O. Box 371887
Pittsburgh, PA 15250-7887

Lindenmeyr
P.O. Box 99922
Chicago, IL 60696-7722

Fair Lawn, NJ 07410
Prestige Box Corp.
P.O. Box 220428
Great Neck, NY 11022-0428

Macy's Amex
P.O. Box 183084
Columbus, OH 43218-3084

Promotion Company of Illinois
2222 Shetland Road
Barrington, IL 60010

MB Financial
P.O. Box 6261
Chicago, IL 60680

Siemens Industry, Inc
3500 Quadrangle Blvd.
Orlando, FL 32817

Midland Paper
1140 Paysphere Circle
Chicago, IL 60674

Sikich LLP
Cris Nogalo
200 W. Madison St., Ste 3200
Chicago, IL 60606

Midwest Insurance Company
c/o Lichtman Eisen Partners
222 N. Lasalle St., Suite 300
Chicago, IL 60601

Southwest Binding & Laminating
P.O. Box 150
Maryland Heights, MO 63043

Spinnaker Coating, Inc
8464 Solution Center
Chicago, IL 60677-8004

Murnane Paper Company
Doolo Major
345 Fischer Farm Rd
Elmhurst, IL 60126

The Ticket Doctor
922 Grant Street
Fenton, MI 48430

Beloit Box Board Company Inc
Marlon Knittel
PO Box 386
Beloit WI 53512

United Express System
P.O. Box 1628
Aurora, IL 60507-1628

Up North Printing
1519 E Main Street
Suite 600
Saint Charles, IL 60174

UPS
Lockbox 577
Carol Stream, IL 60132-0577

Victor Envelope Company
301 Arthur Court
Bensenville, IL 60106

Von Son, Inc
P.O. Box 6002
Hauppauge, NY 11788

Waste Management
P.O. Box 4648
Carol Stream, IL 60197-4648

Waterlogic East, LLC
P.O. Box 829669
Philadelphia, PA 19182-9669

Wausau Coated Products, Inc.
P.O. Box 78170
Milwaukee, WI 53278-0170

Western States Envelope
c/o Kohner Mann & Kailas
4650 N. Port Washington Rd.
Milwaukee, WI 53212

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE:)
) Chapter: 7
Graphic III Papers, Inc.,)
) Case No: 18-03905
)
Debtor.) Judge: Janet S. Baer

**TRUSTEE'S MOTION FOR AUTHORITY FOR EMPLOYMENT OF AUCTIONEER,
FOR SALE OF ESTATE PROPERTY FREE AND CLEAR OF LIENS, AND FOR
ABANDONMENT OF ESTATE PROPERTY**

NOW COMES Frank Kokoszka, duly appointed and serving Chapter 7 Trustee, and in support of his Motion to Retain Auctioneer pursuant to 11 U.S.C. §327 (the “Code”) for approval of sale of Estate property pursuant to Code §363(f), and for abandonment of Estate property pursuant to Code §554 and in support thereof, respectfully states to this Honorable Court as follows:

1. This case was commenced by Debtor’s filing of a Voluntary Petition for Relief under Chapter 7 of the United States Bankruptcy Code on February 13, 2018 (the “Petition Date”).
2. On February 14, 2018, Frank J. Kokoszka was appointed as Successor Trustee herein and continues to serve as the duly appointed Trustee. The meeting of Creditors was held in this case on March 20, 2018.
3. Prior to the Petition Date, Debtor leased office and warehouse space located at 57 Eisenhower Lane South, Lombard, Illinois. Among the Debtor’s personal property located at the Debtor’s location are a) inventory consisting paper stock and paper products which the Debtor has listed at an estimated value of \$15,000.00; b) machinery consisting of a 1997 Perfecta 36

Paper Cutter and a Crown Electric Pallet Jack, with an estimated listed value of \$18,000.00; and, c) various office equipment, used computers, desks, chairs, electronic equipment and other office furnishings (the “Office Equipment”) and warehouse rankings with an estimated listed value of \$6000.00 (collectively, the “Personal Property”). Trustee is informed and believes that the Personal Property is owned free and clear of any liens, claims and encumbrances.

4. Trustee seeks to retain David Heath, Thomas Mowery and Heath Industrial Auction Services, Inc. dba American Auction Associates, Inc. (“American Auction”) to take possession of, secure, and conduct a public auction sale of the Personal Property. Thomas Mowery of American Auction and the Trustee have visited the Debtor’s place of business and inspected the Personal Property. American Auction is experienced in such matters and has been retained by this Trustee and other trustees in this district.

5. The Trustee requests that he be authorized to sell the Personal Property at a public auction sale, free and clear of liens pursuant to Code § 363(f). American Auction has proposed to conduct such an auction at the Debtor’s location on the basis of a buyer’s premium not to exceed thirteen percent (13%) plus reimbursement of expenses or a pro rata portion thereof.

6. David Heath is a disinterested party herein and is properly bonded in accordance with local rules and is an experienced auction professional who has been employed in numerous bankruptcy estates by the Trustees before this Court. A true copy of David Heath’s Affidavit is attached hereto as **Exhibit A** and incorporated herein.

7. Trustee additionally seeks abandonment of any Personal Property that is not sold at auction. The Trustee will seek to abandon any unsold paper products to a recycler which may result in some additional funds to the estate. The Trustee seek abandonment of any unsold Personal Property to assist the landlord in seeking a new tenant to lease the office space and

warehouse. Allowing any unsold assets to remain in the Debtor's office space would only subject the estate to unnecessary administrative costs.

8. Trustee is proving 21 days' notice of this Motion to Debtor's Counsel, Office of the U.S. Trustee and all creditors listed on the Debtor's Schedules.

WHEREFORE Frank J. Kokoszka as Chapter 7 Trustee prays for entry of an Order authorizing Trustee to retain Thomas Mowery, David Heath and American Auction Associates, Inc. as auctioneer herein on the basis of a buyer's premium not to exceed thirteen percent plus expense reimbursement; for auction sale of the Personal Property referenced herein; for authorization to abandon any Personal Property not sold at auction; and for any such other and further relief as this Court deems just and equitable.

Respectfully submitted,
Frank J. Kokoszka, Trustee herein

By: /s/ Frank J. Kokoszka
One of his Attorneys

Frank J. Kokoszka, Esq.
ARDC No. 6201436
KOKOSZKA & JAN CZUR, P.C.
19 South LaSalle, Suite 1201
Chicago, IL 60603-1419
(312) 443-9600 phone
(312) 254-3156 efax
fkokoszka@k-jlaw.com